

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
	:
CURTIS JAMES JACKSON III	:
p/k/a 50 CENT, TOMORROW TODAY	:
ENTERTAINMENT, INC., a New York	:
corporation, and G-UNIT RECORDS, INC.,	:
a New York corporation,	:
	:
Plaintiffs,	:
	:
vs.	:
	:
LEE Q. ODENAT a/k/a "Q" d/b/a	:
WWW.WORLDSTARHIPHOP.COM,	:
	:
Defendant/Third-Party	:
Plaintiff,	:
	:
vs.	:
	:
YVES MONDESIR,	:
	:
Third-Party Defendant.	:
	:
-----X	

Case No. 09-CV-5583

**DECLARATION OF
SCOTT ZARIN, ESQ.
IN SUPPORT OF
DEFENDANT ODENAT'S
MEMORANDUM OF LAW
IN OPPOSITION TO
PLAINTIFFS' MOTION FOR
FOR LEAVE TO SUPPLEMENT
COMPLAINT**

I, Scott Zarin, Esq., hereby declare and aver that:

(1) I am an attorney licensed to practice in New York who represents Defendant Lee Q. Odenat ("Odenat") in the above-referenced action, and I offer this declaration in support of Defendant Odenat's memorandum of law in opposition to Plaintiffs' motion for leave to supplement complaint.

(2) Attached as Exhibit A is a true and correct copy of a letter, dated March 12, 2009, written by Theo Sedlmayr, Esq., transactional counsel for Plaintiffs, to Defendant Odenat, and produced by Plaintiffs to Defendant Odenat in this action.

(3) Attached as Exhibit B are true and correct copies of selected pages from the deposition transcript of Defendant Odenat in this action.

(4) Attached as Exhibit C is a true and correct copy of the certificate of incorporation for the entity Worldstar Hip Hop, Inc., produced by Defendant Odenat to Plaintiffs in this action and bated stamped nos. 00506-00507.

(5) Attached as Exhibit D is a true and correct copy of the certificate of formation for the entity Worldstar, LLC, produced by Defendant Odenat to Plaintiffs in this action and bated stamped nos. 00600-00601.

(6) Attached as Exhibit E is a true and correct copy of the certificate of formation for the entity WSHH337, LLC, produced by Defendant Odenat to Plaintiffs in this action and bated stamped nos. 00598-00599.

(7) Attached as Exhibit F is a true and correct copy of a letter, dated April 5, 2010, written from Scott Zarin, Esq., counsel for Defendant Odenat, to Karen Stetson, Esq, counsel for Plaintiffs, indicating that Defendant Odenat was producing documents to Plaintiffs with bated stamp nos. 00494-00526, which included the certificate of incorporation, attached herein as Exhibit C, for the entity Worldstar Hip Hop, Inc., bated stamped nos. 00506-00507.

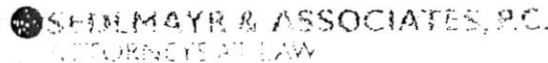
(8) Attached as Exhibit G is a true and correct copy of Plaintiffs' proposed 'Supplemental Complaint', which Defendant Odenat received first for review on September 9, 2011, and which is also attached as Exhibit A to Plaintiffs' memorandum of law in support of their motion for leave to supplement their complaint.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: October 20, 2011

A handwritten signature in black ink, appearing to be "L. Odenat", written over a horizontal line.

Exhibit A



March 12, 2009

VIA ELECTRONIC TRANSMISSION: worldstarhiphop23@gmail.com
AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

worldstarhiphop
9839 Westbell Road
Sun City, Arizona 85351
Attn: "Q"

Re: Curtis J. Jackson, III p/k/a "50 Cent" / Cease & Desist

Gentlemen:

This law firm represents Curtis J. Jackson, III p/k/a "50 Cent". It has come to our attention that you are exploiting our client's image in connection with the advertising of your website, www.worldstarhiphop.com.

Furthermore, we have been advised that you neither secured proper and valid permission from our client, nor other rights holders, to exploit, and/or authorize others to exploit, or display such image. In view of the foregoing, your use, display and/or distribution of our client's image or likeness constitutes a willful violation of our client's right of publicity, and this letter shall serve as official notification requiring you to immediately cease and desist such unauthorized use.

WE THEREFORE DEMAND THAT YOU IMMEDIATELY DO THE FOLLOWING:

1. Immediately cease and remove the unauthorized name, image, likeness, trademark, and/or logos of our client, 50 Cent from all www.worldstarhiphop.com advertising materials, e-mail correspondences and websites, including without limitation, on the www.worldstarhiphop.com website masthead (a copy of which is marked Exhibit A and attached hereto); and

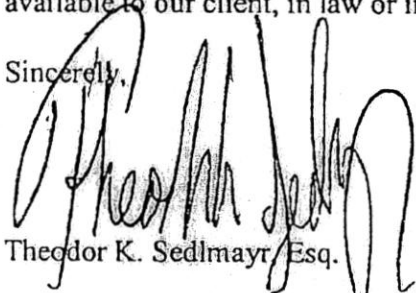
2. Provide Sedlmayr & Associates, P.C. with copies of all business records evidencing income derived by worldstarhiphop.com, or any person or entity entitled to receive such income on behalf of worldstarhiphop.com during the period of use of the infringing image(s), which upon information and belief dates back to December 19, 2007.

Worldstarhiphop.com / "50 Cent"
Page 2 of 2
March 12, 2009

While we would prefer an amicable settlement, we are determined and ready to use all available legal remedies to enforce our client's rights, including obtaining a temporary restraining order, or the equivalent available legal remedy. If you would like to resolve this matter without being subject to a lawsuit, please call me immediately at this office. If we do not hear from you by 5:00 P.M. EST on Friday, March 20, 2009, we will assume that you do not intend to resolve this matter and will proceed in our client's best interests.

The foregoing is not intended to constitute a full statement of all facts, circumstances, rights, claims, or defenses relating to this matter, nor is it intended to constitute, nor should it be construed as a waiver, release or relinquishment of any rights or remedies which may be available to our client, in law or in equity, all of which are hereby expressly reserved.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore K. Sedlmayr", with a large, stylized flourish at the end.

Theodor K. Sedlmayr, Esq.

cc: Mr. Curtis J. Jackson, III
Mr. Chris Lighty
Ms. Nikki Martin
Karen Stetson, Esq.
Alan Hock, Esq.

VIDEO HOME | JORDAN TOWER FILMS | CHAT | WSHH OFFICIAL HORERS | RSS | OFFICIAL PARTNERS | CONTACT

Geach

Latest Updated Videos

Национальный институт

© Emma Fitzell. 2008. E-mail: emma@emmafitzell.com

Some People It Began Frigates
Video Blog featuring Out & Paragon
Of Things What In Fart
Celebrating Louis Vuitton's
Hatchbackbook's First Step
#459294 Submitted

Page 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45

Check out the live band concert only on
www.worldstarhiphop.com

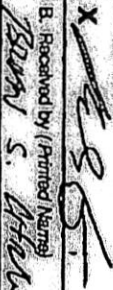
Video Name

Search

מנכ"ל

The Convenient Food Store

17

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Worldstar hip hop 9839 Westbell Road Sun City, Arizona 85351 Attn: "B"</p>		<p>A. Signature X </p> <p>B. Received by (Printed Name) B. S. Attala</p> <p>C. Date of Delivery 03-16-09</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7004 2890 0003 3052 6625</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt</p>		<p>102535-02-01-1540</p>	